

## **REMARKS**

The applicant thanks Examiner Charles for his continued thorough examination of the present application, and also for the indication of allowable subject matter in claims 6, 10 and 11.

The specification and claims have been amended, and new claim 16 has been added, to more clearly describe the invention. No new matter has been entered -- the amendments to the specification, and the basis therefor, are discussed below. Claims 5 and 6 have been canceled without prejudice.

The Examiner has objected to the specification on several grounds, each of which is addressed in turn. First, the Examiner has objected to the phraseology "sharp or pronounced S-curve" as presented in amended paragraph [0043] in the last-filed amendment. That paragraph has been further amended herein to clarify exactly what is meant by this terminology. Specifically, referring to amended paragraph [0043] herein, it is now explained that "the path of the chain around the first and second rollers 88 and 90 is in the shape of the letter 'S'". It is also now further explained that with the arm 86 pivoted as shown in Fig. 2, "the path of the chain around the respective rollers 88 and 90 is as long as possible because the rollers 88 and 90 are positioned to take up the maximum possible amount of chain slack." Basis for this amendment can be clearly seen in Fig. 2, where the tension arm 86 is pivoted in the direction of arrow 84 (counterclockwise) to its maximum extent such that the chain 24 traveling around the rollers 88 and 90 is caused to follow the longest possible path in the shape of the letter "S" (the S-curve), taking up the maximum amount of chain slack.

The Examiner also has objected to the language "in which the S is scarcely pronounce and is lying" found in paragraph [0046]. This paragraph has now been amended to cancel the unclear language and explain more clearly what was meant based on the specification as filed. Referring to Fig. 3, it can be seen that with the tension arm 86 pivoted in a direction opposite that produced by the return spring 82 (clockwise), the resulting chain path over rollers 88 and 90 follows "a relaxed 'S'-curve...such that the path of the chain around the first and second rollers 88 and 90

follows a serpentine path that loosely resembles a letter "S", but which is a quasi linear chain course." As further explained in amended paragraph [0046], for which basis can be clearly seen in Fig. 3, in this 'clockwise-most' position of the tension arm 86, the path of the chain around the respective rollers 88 and 90 is as short as possible and follows a substantially linear course that nevertheless "still exhibits some S-shaped curvature as a result of being carried over the rollers 88 and 90, which is what is meant by relaxed 'S'-curve."

The Examiner has indicated it is unclear what is meant in the specification by "improved ground clearance." Respectfully, ground clearance is a well known term to those skilled in the *dérailleur* art. As now fully explained in the specification, (see amended paragraph [0049]),

the ground clearance of a component refers to the distance from that component to the ground on which the bicycle is resting or being ridden. Obviously, the greater the ground clearance, the lesser the chance of fouling of the component from ground-based debris, or of contacting the ground while maneuvering the bicycle. This means 'improved' ground clearance refers to a greater distance between the component and the ground, whereas decreased ground clearance would mean less distance between the component and the ground.

The concept and importance of maintaining good ground clearance as explained above is very old and well known to those familiar with this art, and the above explanation has been incorporated into the specification merely for completeness of background description and does not constitute new matter. Based on this explanation, paragraphs [0048] and [0049] have been further amended to clarify what was meant by the language

the ground clearance is even more improved as compared with the preceding position

and

the ground clearance is improved in all positions in a considerable manner, and the *dérailleur* is positioned in a space which essentially corresponds to the space

required by the disks, whereby the ground clearance cannot be reduced

as originally filed. Basis for the amended language is found in the above-quoted language from the specification as filed, as well as throughout the drawings, e.g. Figs. 2-3.

The Examiner has objected to the placement of reference numeral 104 on page 8 line 4 of the specification. The specification has now been amended as suggested by the Examiner to overcome this rejection.

In view of the foregoing, it is respectfully submitted that all objections to the specification have been overcome.

Claim 1 has been rejected under 35 USC § 103 as being allegedly unpatentable over Nagano in view of WO98/01333. Claim 1 has now been amended to incorporate the limitations of claim 6 (and intervening claim 5), indicated by the Examiner as being allowable. Claim 1 (and now-independent claim 10) also has been amended to clarify the movable tension plate is "pivotally" connected with the guiding/dérailleur means, basis for which is found in the specification and drawings as filed. It is believed this amendment should not affect the patentability of claims 5 and 6 (now incorporated into claim 1) previously indicated as allowable. Accordingly, claim 1 now is in condition for allowance.

Claim 10, also indicated by the Examiner as being allowable, has now been rewritten in independent form. Accordingly, claim 10 also is now in condition for allowance.

Claims 7 and 8 have been rejected under 35 USC § 112, first paragraph for being improperly enabled. Specifically, the Examiner states it is unclear from the specification how the guiding/dérailleur roller can comprise lateral guiding/dérailleur means or lateral pression means. The Examiner also has stated it is unclear what 'pression means' is. Claim 7 has now been amended to clarify that the guiding/dérailleur roller has associated therewith a complementary lateral guiding/dérailleur means. Claim 8 has been similarly amended to clarify that the lateral guiding/dérailleur roller has associated therewith a complementary lateral

pression means. Basis for these amendments to claims 7 and 8 can be found in the specification as filed, e.g. at page 5. Regarding 'pression means,' this element is shown in Fig. 1 at numeral 73. In the illustrated embodiment, the pression means is provided as a pression flange mounted adjacent the lateral flange 72 such that the chain 24 passes between the flanges 72 and 73 as it rides over the guiding/dérailleur roller 68. In view of the foregoing, it is respectfully submitted that the rejections of claims 7 and 8 under Section 112 have been overcome.

Claims 9, 13 and 14 also have been rejected under 35 USC § 112, first paragraph. These claims are dependent from either claim 7 or 8 and add additional limitations supported by the application as filed. It is believed the above-described amendments to claims 7 and 8 also overcome the rejections of claims 9, 13 and 14.

Claim 15 has been rejected under 35 USC § 112, second paragraph, for indefiniteness regarding the intended scope of the phrase "the same or better ground clearance." As explained above, ground clearance refers to the distance from the ground for a component, noting that higher is better. By "the same or better ground clearance" relative to the pinions, it is meant the dérailleur device is located at least as high (or higher) off of the ground as the pinions.

New claim 16 has been added which is similar to claim 15, except that the ground clearance for the dérailleur device is "the same or better" than that of the front dérailleur disks. Basis for this new claim can be found at page 7 lines 15-18, and Figs. 2-3 of the application as filed.

In view of the above, it is respectfully submitted that the application, including all claims, is in condition for allowance. Particularly, the rejections of claim 1 have been overcome, and allowable claim 10 has been rewritten in independent form. All remaining claims are dependent claims, and should be allowable based on either claim 1 or claim 10. Accordingly, the application is respectfully submitted to be in condition for allowance, and notice to that effect is respectfully requested.

Should the Examiner have any questions regarding the instant submission, or for any other reason which may advance the prosecution hereof, the Examiner is requested to please contact the undersigned at the phone number listed below.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33354.

Respectfully submitted,

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